

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GLENN JOHNSON,

Plaintiff,
-against-

ORDER

23-CV-3091 (JHR) (JW)

THE CITY OF NEW YORK,
DEPARTMENT OF CORRECTIONS,
CORRECTION OFFICER MCCUTCHEON
#18140, CORRECTION OFFICER
CADET #7325, C.O. RAVELO #17099,
CAPTAIN WEEKES #11628,

Defendant.

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JENNIFER E. WILLIS, United States Magistrate Judge:

On February 18, 2025, this Court issued a report and recommendation which recommended Plaintiff's claims be dismissed without prejudice and he be granted leave to amend. Dkt. No. 57. The report and recommendation notified the Parties that they had 14 days to file written objections. Dkt. No. 57 at 19–20. On March 31, 2025, after no objections were filed, Judge Rearden adopted this Court's report and recommendation. Dkt. No. 59.

On April 15 and 18, 2025, Plaintiff filed declarations notifying the Court that he did not receive this Court's report and recommendation and therefore was unable to file any objections. Dkt. Nos. 60–61. After coordinating with Judge Rearden, this Court scheduled a status conference to address Plaintiff's inability to object to this Court's report and recommendation. Dkt. No. 62.

On July 9, 2025, this Court held a status conference via Microsoft Teams where Plaintiff and Counsel for Defendants McCutchen and the City of New York were

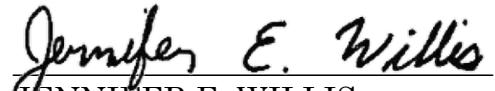
present. At the conference, the Court explained to Plaintiff that he could proceed under two options: (1) the Court would grant an additional 14 days for Plaintiff to object to the report and recommendation; or (2) Plaintiff could forego the objections, and the Court would set a deadline for him to amend his complaint. Plaintiff elected to waive his right to object to the report and recommendation and instead will amend his complaint. Plaintiff then informed the Court that he still has not received a copy of the report and recommendation.

Accordingly, Plaintiff will be sent another copy of this Court's report and recommendation and will have until **August 21, 2025**, to file an amended complaint. This Court will hold a telephone conference on August 5, 2025, at 2:30 PM to ensure Plaintiff has received a copy of this Court's report and recommendation. On that date, the Parties shall dial +1 646-453-4442 and enter passcode: 316218392#. This Court will enter a separate order to produce Plaintiff for a phone conference to ensure Clinton Correctional Facility coordinates Plaintiff's appearance at the telephone conference. Defendants are also directed to order a copy of the July 9th conference transcript and mail a copy to Plaintiff.

The Clerk of Court is respectfully requested to send copy of this order and the report and recommendation at Dkt. No. 57 to: Glenn Johnson, 23B3958, Clinton Correctional Facility, P.O Box 2000, Dannemora, NY 12929.

SO ORDERED.

DATED: New York, New York
July 9, 2025


JENNIFER E. WILLIS
United States Magistrate Judge